

SDNY

Hon. Koeltl

07-cv-8493

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT  
Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Caption (use short title)

Docket Number(s):

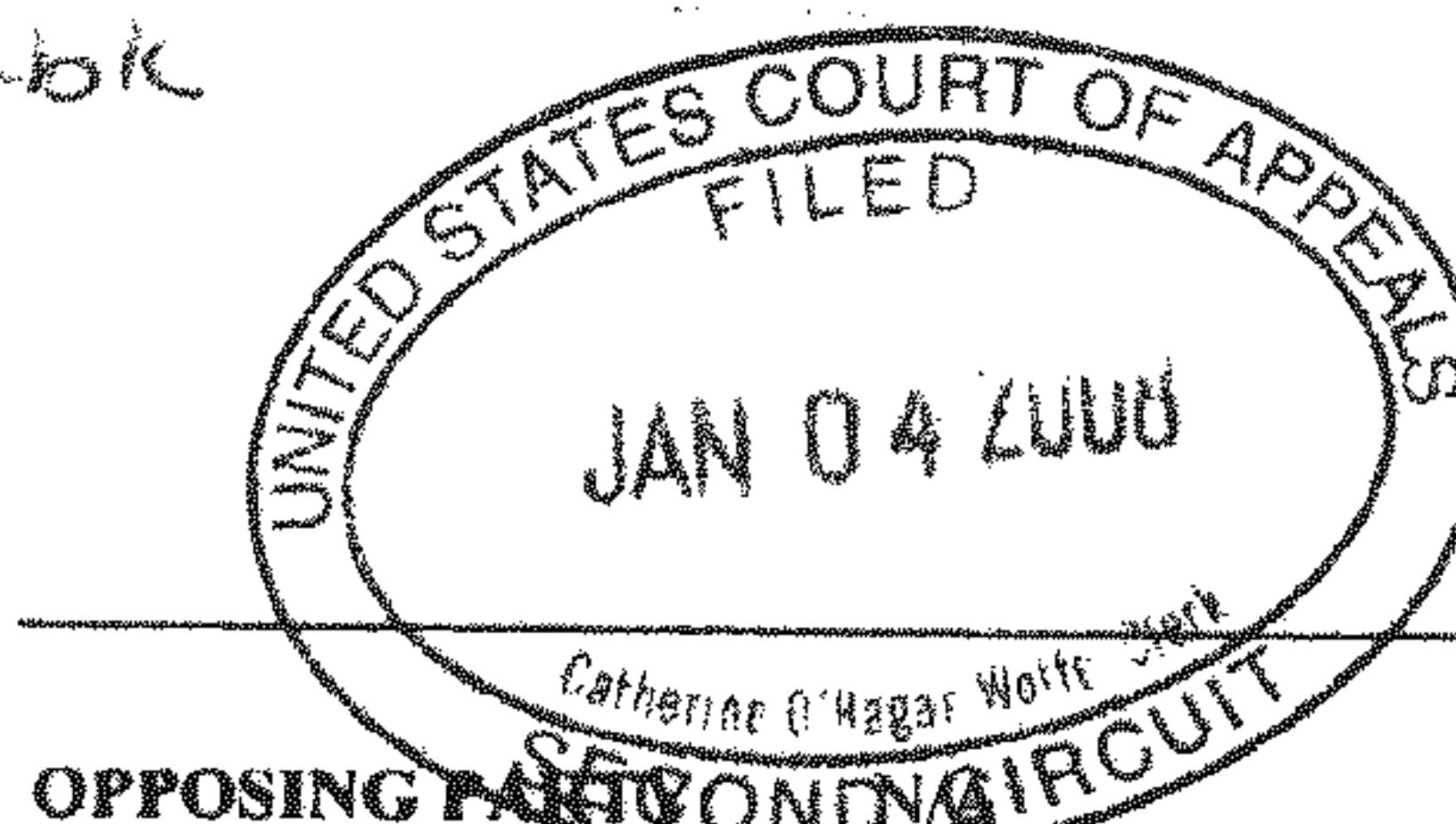
07-5237-bk(L), 07-5301-bk  
07-5308-bk

In re: Calpine Corporation

Motion for: Joint Motion for Voluntary Dismissal of Appeal

Set forth below precise, complete statement of relief sought:

The Appellants seek to voluntarily dismiss the appeals currently pending.



MOVING PARTY:

Plaintiff       Defendant  
 Appellant/Petitioner       Appellee/Respondent

MOVING ATTORNEY: Dennis Dunne on behalf of Aristea Capital L.L.C.  
et al.; Sarah Reid on behalf of HSBC; Erez Gilad on  
behalf of Dillon Read U.S. Finance L.P. et al.; Ian  
S. Fredericks on behalf of Manufacturers & Traders  
Trust Co.

OPPOSING ATTORNEY [Name]:

[name of attorney, with firm, address, phone number and e-mail]

[name of attorney, with firm, address, phone number and e-mail]

[SEE BELOW]

Court-Judge/Agency appealed from: United States District Court, Southern District of New York – Honorable John G. Koeltl

Please check appropriate boxes:

Has consent of opposing counsel:

A. been sought?  Yes  No  
B. been obtained?  Yes  No

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND  
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?  Yes  No

Has this relief been previously sought in this Court?  Yes  No

Is oral argument requested?  Yes  No  
(requests for oral argument will not necessarily be granted)

[Requested return date] and explanation of emergency:

Has argument date of appeal been set?  Yes  No  
If yes, enter date \_\_\_\_\_

Signature of Moving Attorney: *Andrea L. Doherty*  
Date: January 4, 2008

Has service been effected?  Yes  No  
[Attach proof of service]

IT IS HEREBY ORDERED THAT the motion is **GRANTED**.

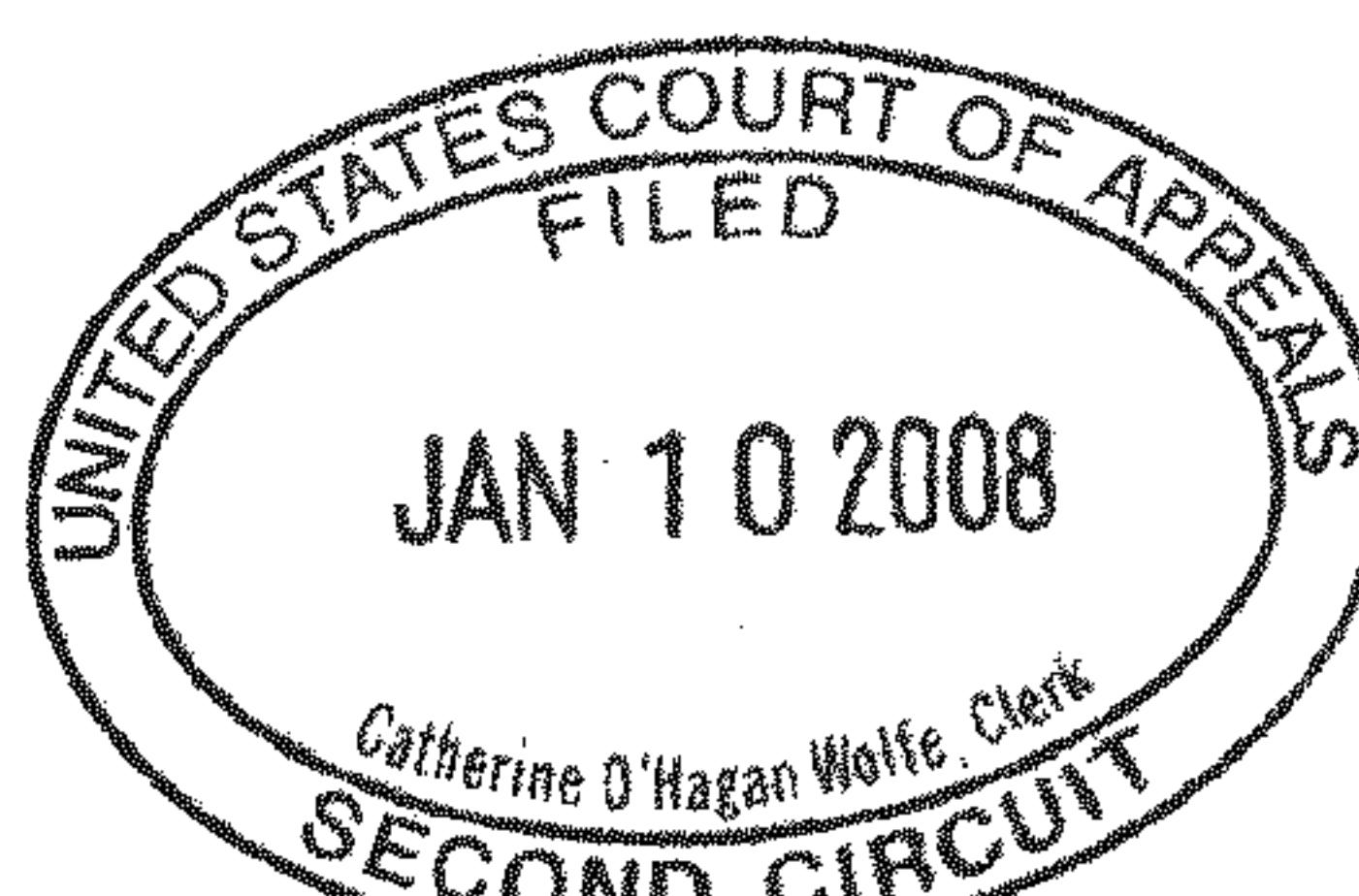
ORDER Joint motion for voluntary dismissal  
of appeals is granted.

Date: *1/10/08*

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk of Court

By: *Judy Pisnanont*  
Judy Pisnanont, Motions Staff Attorney

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by *Deputy Clerk*



CERTIFIED: *2/8/08*